

BILL NO. G-93-11-09 (AS AMENDED)

GENERAL ORDINANCE NO. G- 09-94

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating an alley thereof.

WHEREAS, a petition to vacate an alley within the City of
Fort Wayne (as more specifically described below) was duly
filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing
thereon; and

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and this body having held
a public hearing on said vacation as provided in I.C. 36-7-4-
12; and

WHEREAS, this body concurs in the recommendation of the
City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate an
alley within the City of Fort Wayne, more specifically
described as follows, to-wit:

The alley lying South of Lots #39, #40 and #41 and North
of Lot #42, TOGETHER WITH the alley lying South of Lots
#92, #93 and #94 and North of Lot #91 in Boerger's
Addition to the City of Fort Wayne, Indiana, more
particularly described as follows, to-wit:

Beginning at the Southeast corner of said Lot #39; thence
Westerly, on and along the South line of Lots #39, #40
and #41, a distance of 139 feet to the Southwest corner
of said Lot #41; thence Southerly, on and along the East
line of a North-South alley, a distance of 14 feet to the
Northwest corner of said Lot #42; thence Easterly, on and
along the North line of said Lot #42, a distance of 139
feet to the Northeast corner thereof, being a point on
the West right-of-way line of Hoagland Avenue; thence
Northerly, on and along said West right-of-way line, a
distance of 14 feet to the point of beginning,

TOGETHER WITH:

Beginning at the Southeast corner of said Lot #92; thence

1 Westerly, on and along the South line of said Lots #92,
2 #93 and #94, a distance of 139 feet to the Southwest
3 corner of said Lot #94, being a point on the East right-
4 of-way line of Buell Drive; thence Southerly, on and
5 along said East right-of-way line, a distance of 14 feet
6 to the Northwest corner of said Lot #91; thence Easterly,
7 on and along the North line of said Lot #91, a distance
8 of 139 feet to the Northeast corner thereof; thence
9 Northerly, on and along the West line of a North-South
10 alley, a distance of 14 feet to the point of beginning.

11 and which vacating amends the Thoroughfare Plan of the City
12 Comprehensive ("Master") Plan and is hereby approved in all
13 respects.

14 SECTION 2. That this Ordinance shall be in full force
15 and effect from and after its passage, any and all necessary
16 approval by the Mayor.

17 _____
18 COUNCILMEMBER

19 APPROVED AS TO FORM AND LEGALITY:

20 _____
21 J. TIMOTHY MCCAULAY, CITY ATTORNEY

22 ** Public hearing to be held on _____,
23 the _____ day of _____, 1994,
24 in the Council Chambers.

25 _____
26 Sandra E. Kennedy, City Clerk
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1553
BILL NO. G-93-11-09

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating an alley thereof.

WHEREAS, a petition to vacate an alley within the City of
Fort Wayne (as more specifically described below) was duly
filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing
thereon; and

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and this body having held
a public hearing on said vacation as provided in I.C. 36-7-4-
12; and

WHEREAS, this body concurs in the recommendation of the
City Planning Commission.

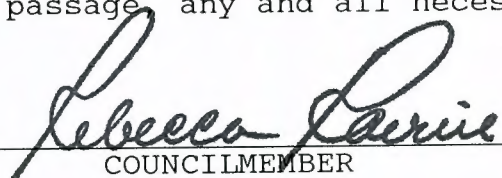
NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate an
alley within the City of Fort Wayne, more specifically
described as follows, to-wit:


East-West alley North of West Foster Parkway; South of
West Rudisill Blvd.; between Buell Drive and Hoagland
Avenue; excluding the North-South alley intersection.

and which vacating amends the Thoroughfare Plan of the City
Comprehensive ("Master") Plan and is hereby approved in all
respects.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage, any and all necessary
approval by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY-MCCAULAY, CITY ATTORNEY

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Read the first time in full and on motion by Parino,
and duly adopted, ~~read~~ the second time by title and referred to the
Committee on _____ (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on _____, the _____ day of
_____, 19_____, at _____ o'clock

M., E.S.T.

DATED: 11-5-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Parino,
and duly adopted, placed on its passage. PASSED LOST
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 5-24-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,

Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-09-94
on the 24th day of May, 1994

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Cletus R Edmonds
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 25th day of May, 1994,
at the hour of 11:30 o'clock A., M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of May,
1994, at the hour of 2:30 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

RESOLUTION

WHEREAS, JEFFREY M. LEPLEY has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated alley situated in Fort Wayne, Allen County, to-wit:

The alley lying South of Lots #39, #40 and #41 and North of Lot #42, TOGETHER WITH the alley lying South of Lots #92, #93 and #94 and North of Lot #91 in Boerger's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:

Beginning at the Southeast corner of said Lot #39; thence Westerly, on and along the South line of Lots #39, #40 and #41, a distance of 139 feet to the Southwest corner of said Lot #41; thence Southerly, on and along the East line of a North-South alley, a distance of 14 feet to the Northwest corner of said Lot #42; thence Easterly, on and along the North line of said Lot #42, a distance of 139 feet to the Northeast corner thereof, being a point on the West right-of-way line of Hoagland Avenue; thence Northerly, on and along said West right-of-way line, a distance of 14 feet to the point of beginning,

TOGETHER WITH:

Beginning at the Southeast corner of said Lot #92; thence Westerly, on and along the South line of said Lots #92, #93 and #94, a distance of 139 feet to the Southwest corner of said Lot #94, being a point on the East right-of-way line of Buell Drive; thence Southerly, on and along said East right-of-way line, a distance of 14 feet to the Northwest corner of said Lot #91; thence Easterly, on and along the North line of said Lot #91, a distance of 139 feet to the Northeast corner thereof; thence Northerly, on and along the West line of a North-South alley, a distance of 14 feet to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on November 15, 1993 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated alley.

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

DATED THIS 18th DAY OF April 1994

Carol Kettler Sharp
Secretary

RESOLUTION 81-53-9

WHEREAS, JEFFREY M. LEPLEY has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated alley situated in Fort Wayne, Allen County, to-wit:

The alley lying South of Lots #39, #40 and #41 and North of Lot #42, TOGETHER WITH the alley lying South of Lots #92, #93 and #94 and North of Lot #91 in Boerger's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:

Beginning at the Southeast corner of said Lot #39; thence Westerly, on and along the South line of Lots #39, #40 and #41, a distance of 139 feet to the Southwest corner of said Lot #41; thence Southerly, on and along the East line of a North-South alley, a distance of 14 feet to the Northwest corner of said Lot #42; thence Easterly, on and along the North line of said Lot #42, a distance of 139 feet to the Northeast corner thereof, being a point on the West right-of-way line of Hoagland Avenue; thence Northerly, on and along said West right-of-way line, a distance of 14 feet to the point of beginning,

TOGETHER WITH:

Beginning at the Southeast corner of said Lot #92; thence Westerly, on and along the South line of said Lots #92, #93 and #94, a distance of 139 feet to the Southwest corner of said Lot #94, being a point on the East right-of-way line of Buell Drive; thence Southerly, on and along said East right-of-way line, a distance of 14 feet to the Northwest corner of said Lot #91; thence Easterly, on and along the North line of said Lot #91, a distance of 139 feet to the Northeast corner thereof; thence Northerly, on and along the West line of a North-South alley, a distance of 14 feet to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

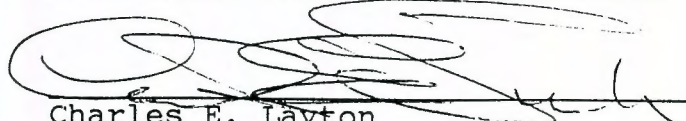
) SS:

COUNTY OF ALLEN)

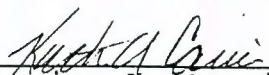
I, Charles Layton, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held _____ and as same appears of record in the official records of the Board of Public Works.

DATED THIS 20 DAY OF APRIL 1994


FORT WAYNE BOARD OF PUBLIC WORKS



Charles E. Layton
Director of Public Works



Katherine A. Carrier
Member, Board of Public Works



C. James Owen
Member, Board of Public Works

RECEIPT

No 14901

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN., October 1 1993

RECEIVED FROM Jeffrey Lepley \$ 150.00

THE SUM OF One hundred fifty and ———— ⁰⁰/₁₀₀ DOLLARS

ON ACCOUNT OF Petition to vacate alley

North of lots 42 & 91 in Boegers Addition

PAID BY: CASH ☒ CHECK ☐ M.O. ☐

AUTHORIZED SIGNATURE

Date Filed: 10/1/93

Vacation Petition

I/We Jeffrey M. Lepley
(Applicant's Name or Names)

PETITION TO VACATE alley
(Street, Alley, Utility Easement, Plat,
Other)

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following alley with the City of Fort Wayne, Indiana, and hereby described as follows:

The fourteen foot wide alley running east to west in Boergers Addition
from Hoagland Ave to Buell Ave. Reference map L-11 From the southeast
corner of Lot 39 down to southwest corner of lot 41 back to
nw corner of lot 91 running to the ne corner of lot 42
(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

Do to excessive vandalism and vehicular break in's. Also to stop
unnecessary drive thru traffic.
By closing the alley, it will give added security to lots 39, 40, 41 and
42 due to privacy fencing of residences of Boergers Addition

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance, in order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described alley be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 1 DAY OF October 19 93

Alton F. Woods
Adjacent Property Owner
Typed Name

3920 Hoagland Ave. 46807
Address Zip

Alton F. Woods
Signature

Candido Melendez
Adjacent Property Owner
Typed Name

409 W. Rudisill Blvd. 46807
Address Zip

Candido F. Melendez
Signature

Legal Description of Property:

Additional Reasons for Vacation Request:

and Back to the ~~Beginning~~ Beginning

Rayola Talarico 413 W. Rudisill Blvd 46807

Rayola Talarico

Owners of Adjacent Property:

Voilet Zelt	401 W. Rudisill Blvd. 46807
Roland Hite	421 W. Rudisill Blvd. 46807
Max Lindemuth	3917 Buell Ave 46807
Philip R. Davis	417 W. Rudisill Blvd. 46807

Adjacent Property Owners TYPED Name Address/Zip

Violet Zelt
Roland L. Hite
Max Lindemuth
Philip R. Davis
Signature

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

This form is to be filed in duplicate.

AGENT:

Jeffrey M. Lepley
Name

405 W. Rudisill Blvd.
Street Address

Ft. Wayne, In 46807
City/State/Zip

744-3345
Phone

Legal description:

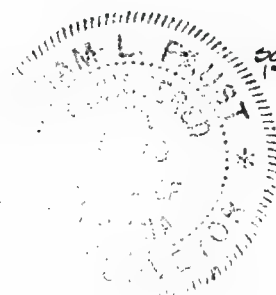
The south seven (7) feet of lot 39 for a distance of 47 feet from the property line of lot 40. The south seven (7) feet of lot 40. The south seven (7) feet of lot 41 for a distance of 46 feet from property line of lot 40. The north seven (7) feet of lot 42 for a distance of 146 feet from the center line of Hoagland Avenue.

The south seven (7) feet of lot 92 for a distance of 46 feet from the property line of lot 93. The south seven (7) feet of lot 93. The south seven (7) feet of lot 94 for a distance of 47 feet from the property line of lot 93. The north seven (7) feet of lot 91 for a distance of 146 feet from the center line of Buel Avenue. All lots are located in Bergers Subdivision in the City of Fort Wayne, Indiana, County of Allen.

ZIAN, P.E. & L.S.
R, L.S.
L.S.

ASSOCIATES, INC.
345 WEST WAYNE STREET
SUITE 202
FORT WAYNE, INDIANA 46802
PHONES: 219/424-3232
219/424-3234 FAX

Sam. T. Grant



FACT SHEET

G-93-11-09

BILL NUMBER

**Division of Community
Development & Planning**

BRIEF TITLE

Alley Vacation Ordinance

APPROVAL DEADLINE

REASON

DETAILS**Specific Location and/or Address**

East/West alley north of W Foster Pkwy;
south of W Rudisill Bl.; between Buell Drive
and Hoagland Avenue.

Reason for Project

To prevent vandalism in the area.

Discussion (Including relationship to other Council actions)

15 November 1993 - Public Hearing

Jeffrey Lepley, 405 W Rudisill Blvd., petitioner, appeared before the Commission. Mr. Lepley stated that the reason for the request is that last summer they had quite a few incidents of vehicle breakins and burglaries in the neighborhood. He stated that they would like to block off a section of the alley behind his house. He stated they would use the rest of the alley that goes from Hoagland Avenue to his home as the driveways for the homes on the alley.

Dave Ross questioned if they would be vacating the north-south portion of the alley.

Wayne E. O'Brien stated that it was never the intent of the petitioner's to vacate that portion of the north-south alley. He stated that portion of the alley was inadvertently included as part of the legal description. He stated that was part of the reason that the staff was requesting a new legal description be submitted. He stated that the north-south portion would still remain open as a public alley.

POSITIONS**RECOMMENDATIONS**

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Jeffrey Lepley City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

TAILS

There was no one else present who spoke in favor of or in opposition to the proposed vacation.

22 November 1993 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation, contingent upon the petitioner providing a revised legal description and providing for utility relocations or easements as needed.

Of the seven (7) members present, six (6) voted in favor of the motion, one (1) did not vote. Motion carried.

Members Present: Ernest Evans, James Hoch, Robert Hutner, Charles Layton, Dave Ross, Mel Smith, Vicky VerPlanck

Members Absent: Carol Kettler Sharp, Donald Schmidt

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** 1 October 1993

Projected Completion or Occupancy **Date** 15 April 1994

Fact Sheet Prepared by **Date** 15 April 1994
Patricia Biancaniello

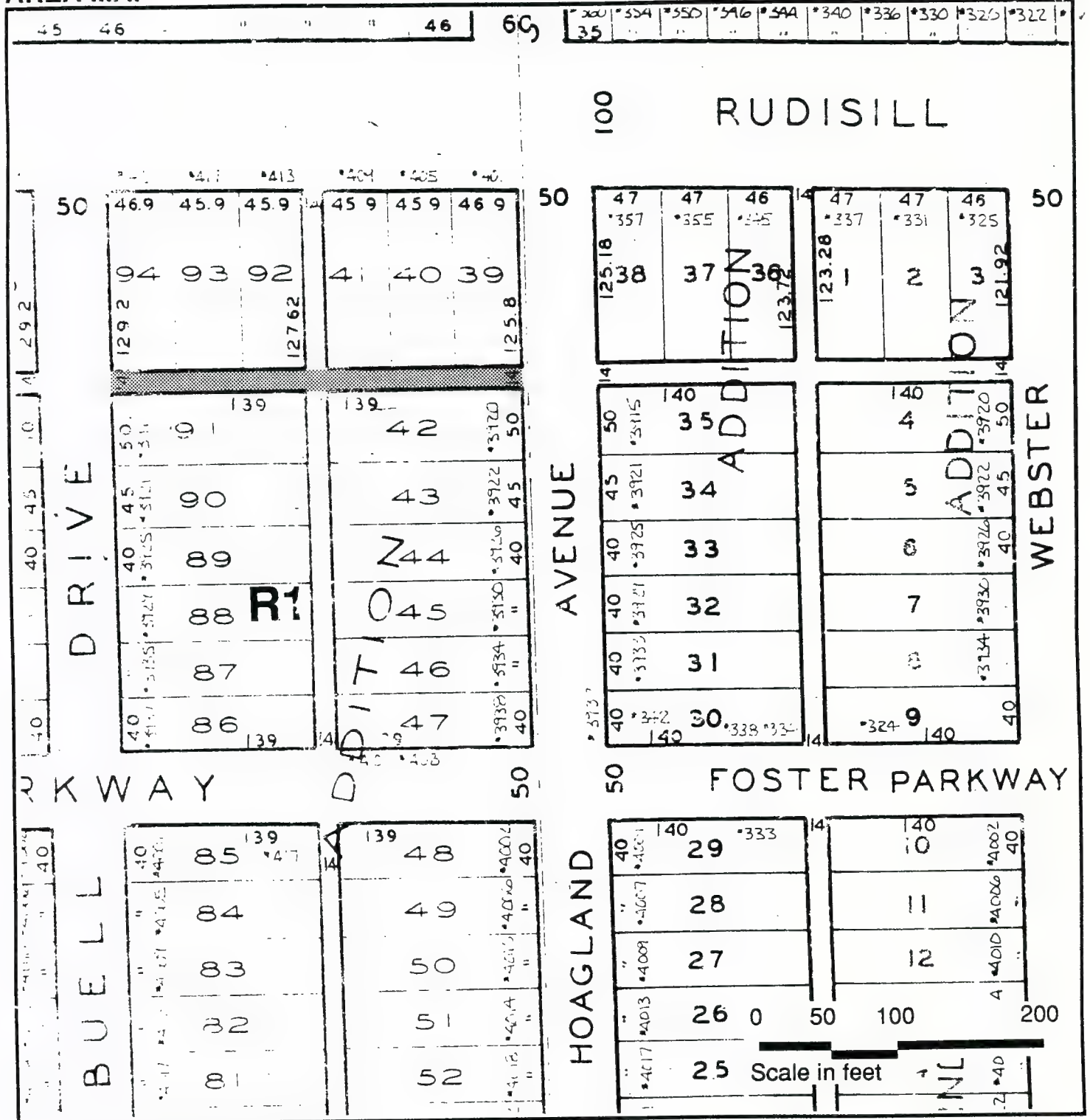
Reviewed by **Date**

Reference or Case Number

VACATION PETITION

AREA MAP

CASE NO. #553



COUNCILMANIC DISTRICT NO. 5

Map No.: L-11
LW 10-22-93

R1 One-Family
R2 Two-Family
R3 Multi-Family
RA/RB Residential
PUD Planned Unit Dev.

B1 Limited Business
B2 Planned Shopping Center
B3 General Business
B4 Roadside Business
POD Professional Office District

M1 Light Industrial
M2 General Industrial
M3 Heavy Industrial
MHP Mobile Home Park
IA Interchange Access

BILL NO. G-93-11-09 (as amended)

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - MARK E. GIAQUINTA - CO-CHAIR
DONALD J. SCHMIDT
JANET G. BRADURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare
Plan of the City Comprehensive ("Master") Plan by vacating an alley
thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Rebecca Ravine

Donald J. Schmidt

Mark E. Giaquinta

Janet G. Bradury

Sam Talarico

DATED: 5-24-94

Sandra E. Kennedy
City Clerk

#553

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Alley Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE East-West alley North of West Foster Parkway; South of West Rudisill Blvd., between Buell Drive and Hoagland Avenue.

D-93-1109
(recommended)

EFFECT OF PASSAGE Property is currently a dedicated public right-of-way. Property would be vacated and revert to the ownership of the adjacent property owners.

EFFECT OF NON-PASSAGE Property would remain a dedicated public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

May 3, 1994

Jeffrey Lepley
405 W Rudisill Blvd
Fort Wayne, IN 46807

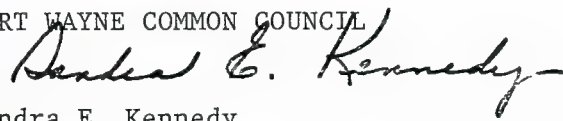
NOTICE OF PUBLIC HEARING ON BILL NO. G-93-11-09

You are hereby notified that the Common Council of the City of Fort Wayne will conduct a public hearing on Tuesday, May 24, 1994, at 5:30 o'clock P.M., in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

East/West alley north of W Foster Pkwy;
south of W Rudisill Blvd.; between Buell
Drive and Hoagland Avenue - To prevent
vandalism in the area

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL


Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

May 3, 1994

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of May 6, 1994,
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-93-11-09
Alley Vacation

Please send us 3 copies of the Publisher's Affidavit from both
newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne

ENCL: 1

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
BILL NO. G-93-11-09

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, May 24, 1994, at 5:30 o'clock P.M. (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

22 The alley lying South of Lots #39, #40 and #41 and North
23 of Lot #42, TOGETHER WITH the alley lying South of Lots
24 #92, #93 and #94 and North of Lot #91 in Boerger's
Addition to the City of Fort Wayne, Indiana, more
particularly described as follows, to-wit:

25 Beginning at the Southeast corner of said Lot #39; thence
26 Westerly, on and along the South line of Lots #39, #40
27 and #41, a distance of 139 feet to the Southwest corner
28 of said Lot #41; thence Southerly, on and along the East
29 line of a North-South alley, a distance of 14 feet to the
30 Northwest corner of said Lot #42; thence Easterly, on and
31 along the North line of said Lot #42, a distance of 139
32 feet to the Northeast corner thereof, being a point on
the West right-of-way line of Hoagland Avenue; thence
Northerly, on and along said West right-of-way line, a
distance of 14 feet to the point of beginning,

31 TOGETHER WITH:

32 Beginning at the Southeast corner of said Lot #92; thence

1 Westerly, on and along the South line of said Lots #92,
2 #93 and #94, a distance of 139 feet to the Southwest
3 corner of said Lot #94, being a point on the East right-
4 of-way line of Buell Drive; thence Southerly, on and
5 along said East right-of-way line, a distance of 14 feet
6 to the Northwest corner of said Lot #91; thence Easterly,
on and along the North line of said Lot #91, a distance
of 139 feet to the Northeast corner thereof; thence
Northerly, on and along the West line of a North-South
alley, a distance of 14 feet to the point of beginning.

All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

46 lines, 1 columns wide equals 46 equivalent lines
at .33 cents per line

\$ 15.18

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 16.18

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: May 6, 19 94

Title: Clerk

PUBLISHER'S AFFIDAVIT

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
BILL NO. G-93-11-09
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, May 24, 1994, at 5:30 o'clock P.M. (EST) in the Common Council Conference Room 126, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:
The alley lying South of Lots #39, #40 and #41 and North of Lot #42, TOGETHER WITH the alley lying South of Lots #92, #93 and #94 and North of Lot #91 in Boerger's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:
Beginning at the Southeast corner of said Lot #39, thence Westerly, on and along the South line of said Lots #39, #40 and #41, a distance of 139 feet to the Southwest corner of said Lot #41; thence Southerly, on and along the East line of a North-South alley, a distance of 14 feet to the Northwest corner of said Lot #42; thence Easterly, on and along the North line of said Lot #42, a distance of 139 feet to the Northeast corner thereof, being a point on the West right-of-way line of Hoagland Avenue; thence Northerly, on and along said West right-of-way line, a distance of 14 feet to the point of beginning.
TOGETHER WITH:
Beginning at the Southeast corner of said Lot #92, thence Westerly, on and along the South line of said Lots #92, #93 and #94, a distance of 139 feet to the Southwest corner of said Lot #94, being a point on the East right-of-way line of Buell Drive; thence Southerly, on and along said East right-of-way line, a distance of 14 feet to the Northwest corner of said Lot #91; thence Easterly, on and along the North line of said Lot #91, a distance of 139 feet to the Northeast corner thereof; thence Northerly, on and along the West line of a North-South alley, a distance of 14 feet to the point of beginning.
All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL
Sandra E. Kennedy
City Clerk
#494

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time 5/6/94, the dates of publication being as follows:

Cindy Gillenwater

Subscribed and sworn to before me this 6th day of May, 19 94

Mary L Adkison
Notary Public
MARY L ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
My commission expires: JUNE 14, 1997

FW Common Council
(Governmental Unit)

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

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TOGETHER WITH:
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5/6/94

Subscribed and sworn to before me this 6th day of May, 19 94.

MARY L. ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 1997

My commission expires: